



United States Department of the Interior

BUREAU OF LAND MANAGEMENT WARM SPRINGS RESOURCE AREA

35 East 500 North
P.O. Box 778
Fillmore, Utah 84601

RECEIVED

MAY 17 1993



IN REPLY REFER TO:

3800
(U-055)
UTU-070674

May 14, 1993

DALE ROGERS
3529 E GREEN HILLS DR
SANDY UT 84093

DIVISION OF
ON CASBLINING

Dear Mr. Rogers:

Thank you for contacting Rody Cox of my staff on May 12, 1993.

When you spoke to Rody you seemed to have some questions concerning the Federal Regulations contained in 43 CFR § 3809. Especially, operations that require an approved plan of operations with surface disturbances over five (5) acres. I have enclosed a copy of the 43 CFR § 3809 regulations with this letter. The regulations under § 3809.1-4 "Plan of operations: When required.", should answer your questions. Also, § 3809.1-4 "Filing and contents of plan of operations.", should assist you in filing your plan of operations.

During your conversation there was a discussion regarding 43 CFR § 3730 et al., "Rental Fees, Mining Claim Recordation, and Assessment Work; Proposed Rule", specifically § 3833.1-6 "Rental fee exemption qualifications". Briefly, some of the criteria you discussed to qualify for the "small miners exemption" included; 1) the mining claims shall be lode or placer claims; 2) the claimant shall hold 10 or fewer mining claims on Federal lands; 3) the mining claims shall be under one or more notices or approved plans of operations; 4) the mining claims shall collectively have less than 10 acres of unreclaimed surface disturbance; 5) the claimant shall be producing from the 10 or fewer claims no less than \$1,500.00 and no more than \$800,000.00 in gross revenues per year. Additional criteria and details are in the published Proposed Rule. You indicated that the State Office has provided you with a copy of 43 CFR § 3730 et al.

Regarding the Pitchfork Spring Pipeline, we have contacted the Beaver River Resource Area and asked them to tell Mr. Wintch to fill in the holes in the road.

I hope this information helps you to differentiate the surface management regulations from the mining claim rental fee regulations. If you have any questions regarding these regulations or pertaining to the development of your plan of operations, please feel free to contact Rody Cox at (801) 743-6811.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dave Henderson", with a stylized, flowing script.

Dave Henderson
Area Manager

Enclosures:

1. 43 CFR § 3809 regulations

bc: Jerry Goodman, RDO
Art Tate, BRRRA
D. Wayne Hedberg, UDOGM

RCox:mfr